

**Remarks**

Claims 1-10, 13, 19-22, 26-30, 32, and 34-40 are pending.

The abstract was objected to as containing too many words. Applicant previously amended the abstract in response to the previous action. Applicant resubmits the amendments to the abstract in order to reduce the number of words.

Claims 1-8, 10, 19-22, and 27-37 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,269,578 (hereinafter “Sweeney Patent”) in view of “Replacing Personally-Identifying Information in Medical Records, the Scrub System” by Sweeney (hereinafter “Scrub System”). Claims 9 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sweeney in view of the Scrub System and U.S. Application No. 09/866,464 (hereinafter “Qamar Application”). Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sweeney in view of the Scrub System and “HIPAA Privacy Rule and Public Health” from CDC Website (hereinafter “HIPAA Privacy Rule”).

Claim 1 recites a method for checking for patient information for “alphabet data” in a data stream in a medical records system. Then, the method includes “modifying the portion of alphabet data if it comprises patient information so that the modified alphabet portion of the data is independent of the patient information.” The Sweeney patent and Scrub system, used to reject claim 1, do not teach or suggest this limitation.

As discussed in the previous response, the Sweeney patent (at col. 5, lines 21-32) teaches “deidentifying (or anonymizing) entries in a data source.” Specifically, the Sweeney patent (at col. 5, lines 33-37) teaches a system “that maintains anonymity in entity-specific data by automatically generalizing, substituting and removing information as appropriate without losing many of the details found, for example, within the data.” Thus, the Sweeney patent teaches that the “entity-specific data” is replaced with data that is based on the “entity-specific data” in order to avoid losing the details in the “entity-specific data.” An example of this, as cited in the Office Action, is replacing a numerical string “819491049” with “44444444”.

Similarly, the Scrub system replaces the “entity-specific data” with data that is dependent on the “entity-specific data.” For example, the Scrub system (at page 4, Replacement Strategies) teaches that “[i]f the detected entity was a date, for example, the replacement data may involve lumping days to the first of the nearest month or some other grouping.” As another example (at page 4, Replacement Strategies), “if the detected entity was a first name, the typical strategy is to perform a hash-table lookup using the original name as the key.”

Claim 1 distinguishes over the cited references either alone or in combination. Specifically, claim 1 recites modifying “alphabet data” by “modifying the portion of alphabet data if it comprises patient information so that the modified alphabet portion of the data is independent of the patient information.” Modifying the “alphabet data” may be “independent” of the “alphabet data” in one of several ways, including (1) selecting characters that are not dependent on the “alphabet data”; and/or (2) selecting a number of characters that is not dependent on the “alphabet data.” See e.g. paragraph [0026] of published application (selecting “XXX” for replacement of the patient data). This is in contrast to the cited references. For example, alphabet data in both the Sweeney patent and Scrub system, though changed, has some basis in the original data. In fact, this is the intent of both the Sweeney patent and the Scrub system. In this way, the potential viewer may tie the modified data to the original data. For example, the Sweeney patent teaches that a specific person’s name is always replaced with the same name, such as “Bill Jones” is replaced with “John Smith.” In this way, every time a viewer sees “John Smith,” the user is aware that it is associated with one specific user.

This is in contrast to claim 1, which recites a modification of the alphabet data so that the data shown is independent of the alphabet data. In this way, the viewer has much greater difficulty in tying the modified data to the original data. In the example given, a name, such as “Bill Jones” may be replaced with “XXX”, so that the viewer is unable to determine that it is associated with a specific user. This replacement of “XXX” may be used for some or all of the alphabet patient data, thereby greatly increasing the difficulty of

associating the shown data with a particular individual. For at least this reason, claim 1 and the claims that depend thereon are patentable over the cited art.

Claim 19 recites a computer-based system for monitoring the “alphabet portion” of patient information in a medical records system that includes “modifying the alphabet portion of the data stream so that the modified alphabet portion of the data stream is independent of the patient information if the alphabet portion of the data stream comprises patient information.” As discussed above, the Sweeney patent and the Scrub system fail to teach or suggest modification of the alphabet portion to be independent of the patient information as recited. For at least this reason, claim 19 and the claims that depend thereon are patentable over the cited art.

Claim 27 recites a computer-based system for monitoring the “alphabet portion” of patient information in a medical records system that includes “modifying the alphabet portion of data stream if it comprises patient information so that the modified alphabet portion of the data stream is independent of the patient information.” As discussed above, the Sweeney patent and the Scrub system fail to teach or suggest modification of the alphabet portion to be independent of the patient information as recited. For at least this reason, claim 27 and the claims that depend thereon are patentable over the cited art.

**CONCLUSION:**

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof.

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